

**NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LOYDY TANG, individually	)	
and on behalf of a class,	)	11 C 2109
	)	
Plaintiff,	)	Chief Judge Holderman
	)	
v.	)	Magistrate Schenkier
	)	
MEDICAL RECOVERY SPECIALISTS,	)	
LLC, d/b/a MRS, d/b/a MRSI and d/b/a	)	
MEDICAL RECOVERY SPECIALISTS, INC.,	)	
	)	
Defendant.	)	

**REPORT OF THE PARTIES' PLANNING MEETING**

1. The following persons participated in a Rule 26(f) conference on May 9, 2011, via telephone and conferred again in August 2011 to prepare this report were: Curtis C. Warner representing the plaintiff, and James C. Vlahakis representing the defendant

2. Initial Disclosures. The parties will complete by **August 19, 2011**, the initial disclosures required by Rule 26(a)(1)

3. Discovery Plan. The parties propose this discovery plan:

(a) Discovery will be needed on these subjects:

**Plaintiff's Position:**

i. Defendant's method of dialing telephone calls that use a prerecorded message;

ii. The identity of those persons who received a call from Defendant using a predictive dialer with a pre-recorded message;

- iii. Whether Defendant had any express prior consent to call those persons using a predictive dialer with a pre-recorded message during the proposed class time period;
- iv. Defendant's use, policy, practices and procedures of identifying itself as "MRS" in a prerecorded message; and
- v. Any defenses defendant may raise.

**Defendant's Position:**

- i. The manner in which the phone number at issue was provided to the creditor;
  - ii. What, if any, relationship there is between the debtor and/or his or her guarantor and Plaintiff; and
  - iii. Whether the debtor and/or his or her guarantor consented to being called at the telephone number.
- (b) Timing of Discovery
- (i) The date for commencing discovery is proposed to be **discovery has already been issued by Plaintiff on July 12, 2011;**  
**and**
  - (ii) Close of discovery **March 16, 2012.**
- (c) The parties agree to follow the standard number of interrogatories and the standard length of time to answer that being 30 days.
- (d) No maximum amounts of requests for admissions.
- (e) 10 depositions maximum per party.
- (f) Maximum length of depositions 7 hours.

- (g) The parties do not anticipate expert testimony in this matter.
- (h) Supplements under Rule 26(e) shall be made on the last Friday of the month.

4. Other Items:

- (a) Not applicable.
- (b) Pre-Trial Conference: To be set by the Court.
- (c), (d) Amendments to Pleadings and to join parties: **November 18, 2011.**
- (e) 30 days after the close of discovery to file dispositive motions.
- (f) No settlement discussions have taken place as discovery is needed to properly evaluate any settlement discussions.
- (g) Settlement conference with the magistrate judge may be an option after sufficient discovery has been made.
- (h), (i) Witness lists and objections: To be set by the Court.
- (j) The estimated time of the trial is 2 ½ days. Trial Date to be set by the court.
- (k) Other matters. Protective Order needs to be entered.

Respectfully submitted,

s/ Curtis C. Warner  
Curtis C. Warner

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**CERTIFICATE OF SERVICE**

I, Curtis C. Warner, hereby certify that on **August 11, 2011**, I filed electronically **the Report of the Parties' Planning Meeting** using the Court's CM/ECF system, which automatically will send notice to those parties who have appeared and are so registered to the following:

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Respectfully submitted,

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